

VILLAGE OF LOMBARD

CONTRACT

CONTRACT DOCUMENT NUMBER ST-10-02

This agreement is made this 20TH day of AUGUST, 2009, between and shall be binding upon the Village of Lombard, an Illinois municipal corporation (hereinafter referred to as the "Village") and R.W. Dunteman Company (hereinafter referred to as the "Contractor") and their respective successors.

Witnessed, that in consideration of the mutual promises of the parties delineated in the Contract Documents, the Contractor agrees to perform the services and the Village agrees to pay for the following services as set forth in the Contract Documents:

The FY 2010 Asphalt Paving and Patching Program consists of four types of work.

- 1.) Four inch (4") grind and overlay of 26,008 square yards of asphalt streets.
- 2.) 4,081 square yards of full depth asphalt paving edge repair (removal and replacement of seven feet (7') wide strips adjacent to the curb and gutter on both sides of the street). The full depth section will consist of 2" surface course, 2 1/4" binder and 4 3/4" bituminous base over 4" aggregate base course. The middle portion of the street, 3,411 square yards, will be ground two inches (2"). A 12 1/2 foot roll of area reflective crack control treatment, system A, and a two inch surface course will be placed on top. Thus, a new two (2") surface course will be across the full width of the street.
- 3.) 238 square yards of full depth asphalt patches.
- 4.) The 1 1/2 inch grinding of 21,478 SY of asphalt streets.

The work also includes restriping of pavement. The work will be performed in various locations throughout the Village. The work is expected to be completed by October 16, 2009.

1. This contract shall embrace and include all of the applicable Contract Documents listed below as if attached hereto or repeated herein:
 - a. Contract Document Number ST-10-02 for FY 2010 Asphalt Paving and Patching, consisting of the following:
 - i) Cover Sheet
 - ii) Table of Contents
 - iii) Notice to Bidders on Contract Document Number ST-10-02 - Legal Notice
 - iv) General Provisions
 - v) Special Provisions
 - vi) Plans and Specifications

- b. The Contractor's Bid Proposal Dated: August 11, 2009
 - c. Required Performance and Payment Bonds and Certificate(s) of Insurance
 - d. Executed Bidder's Certification Form.
2. The Village agrees to pay, and the Contractor agrees to accept as full payment the amount as shown on the Contractor's Bid Proposal, which is made a part hereof, subject to such additions and deletions as agreed to by the parties hereto.
 3. The Contractor shall commence work under this Contract upon written Notice to Proceed from the Village and shall complete work under this contract by October 16, 2009. Time is of the essence in regard to this Contract, and the Contractor agrees to achieve completion within the time permitted by all proper and appropriate means including working overtime without additional compensation.
 4. Pursuant to the provisions of Section 5 of the Mechanics' Lien Act of Illinois, prior to making any payment to the Contractor under this Contract, the Village demands that the Contractor furnish a written statement of the names of all parties furnishing labor and/or materials under this Contract and the amounts due or to become due each. This statement must be made under oath or be verified by affidavit. The Village shall not issue final payment nor shall any retained percentage become due until releases and waivers of lien have been supplied as the Village designates.
 5. This Contract represents the entire agreement between the parties and may not be modified without the written approval of both parties.

IN WITNESS WHEREOF, the Village of Lombard, Illinois, and the Contractor have each hereunto caused this Contract to be executed by their respective duly authorized representatives this ____ day of _____ 2009.

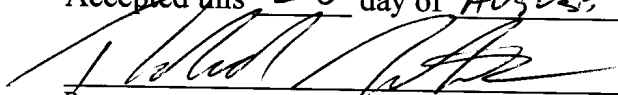
If an individual or partnership, the individual or all partners shall sign or, if a corporation, an officer(s) duly authorized shall sign.

R. W. Dunteman Company

Print Company Name

Individual or Partnership _____ Corporation X

Accepted this 28 day of August, 2009.


 By Roland W. Dunteman

President


Position/Title

By _____

Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 20TH day of AUGUST, 2009.


William J. Mueller, Village
President

Attest:


Brigitte O'Brien, Village Clerk